



# Meeting the Moment: Eliminating Barriers to Reintegration During the Pandemic and Economic Recovery

**There are more than 14 million arrests in the United States each year.** These interactions with the criminal justice system, especially in cases that result in a conviction, cause tremendous harm and limit opportunities for people to lead healthy, safe, and prosperous lives. A dense web of legal restrictions and other repercussions tied to criminal charges and convictions serve as enduring punishments that extend the consequences of criminal justice involvement long after a person has served their sentence.

These barriers to reintegration are severe and often permanent for the millions of people in the United States with a criminal record, and keep people from getting a job and supporting their families, contributing to their communities, participating in civic life, and accessing other basic human needs. The need to address these barriers has never been more urgent, as the nation recovers from COVID-19 and grapples with longstanding racial disparities at the intersection of our economic, public health, and criminal justice systems.



**1 IN 3**

*adults in the United States  
have a criminal record<sup>1</sup>*



**\$87 BILLION**

*in lost annual GDP due to legal  
restrictions and laws that prohibit  
hiring people with felony convictions<sup>2</sup>*



**45,000**

*collateral consequences of a  
conviction nationally, including  
29,000 related to employment<sup>3</sup>*

**A criminal record shouldn't be a life sentence to poverty. We must reduce barriers to successful reintegration, create more opportunities for people to clear their record, and eliminate the severe and long-lasting collateral consequences of a criminal conviction. Arnold Ventures believes policy reforms are urgently needed now to ensure an inclusive economic recovery from the pandemic, and we also recognize the need for deeper cultural and systemic changes to reduce the harm caused by contact with the criminal justice system.**

## THE PROBLEMS

- ***Criminal records and the collateral consequences associated with them are far reaching.*** Researchers estimate that as many as 100 million adults in the United States have a criminal record (1 in 3) and there are more than 45,000 legal barriers associated with a conviction. Many criminal records are riddled with errors due to poor data systems, and inaccurate or outdated records online are widely available to employers and other decision makers.
- ***Legal barriers are excessive and long lasting.*** A criminal record can inhibit a person's ability to get a job, vote, find housing, enroll in school, apply for loans, establish lines of credit, and access government benefits. Studies have shown these barriers limit economic mobility, are counterproductive to public safety goals, and prevent full participation in civic life.
- ***Collateral consequences exacerbate racial disparities that exist throughout the criminal justice system.*** While only 12 percent of the population is Black, 28 percent of all arrests and 36 percent of all felony convictions are imposed on Black people. Legal barriers associated with a criminal conviction therefore have a disproportionate impact on people of color, which further aggravate existing hurdles and the challenges they face in the labor and housing markets during a period of economic contraction.
- ***Current relief mechanisms are inadequate.*** Legal barriers are applied broadly, often automatically, and permanently. Record clearance is too often inaccessible, especially to people who cannot afford it, and criminal records are widely available and misused even after someone has cleared them. Strict eligibility requirements and long waiting periods also prevent people from accessing the relief when it is needed most. As a result, the options for clearing a criminal record are limited, costly, and insufficient for reducing the impact of prior criminal justice involvement and old convictions.

## POLICY REFORMS

- ***Eliminate blanket bans that categorically exclude people with criminal records from certain jobs.*** Nearly half of employment-related collateral consequences are mandatory and imposed automatically without regard to the specifics of the offense or how it relates to the job at hand. These broad exclusions should be eliminated since they limit economic opportunity, increase stigma related to a criminal conviction, and serve no public safety purpose.
- ***Promote individualized consideration of a criminal record.*** To ensure fairness and consistency, consideration of a person's criminal record should be informed by factors such as whether the conviction is related to the duties of the job, the amount of time that has elapsed since the conviction, the age of the person at the time of the conviction, and evidence of rehabilitation or behavior change (when appropriate). States should also eliminate "good character" provisions that allow discrimination to persist under the guise of discretion.
- ***Increase availability and ease of record clearance options, including for those with more recent, extensive, or serious criminal histories.*** States should adopt Clean Slate laws that automatically clear criminal records eligible for sealing or expungement. Eligibility should also be expanded beyond dismissed charges and old convictions for minor offenses to include more recent convictions and a wider range of felony offenses. In states that are not technologically ready for automated relief, reforms that remove hurdles such as exorbitant fees, notary requirements, or in-person court appearances should be immediately adopted.
- ***Ensure people with records are not broadly excluded from economic recovery efforts, and guard against new restrictions at the local, state, and federal levels.*** Ensuring an even and robust economic recovery from COVID-19 requires policymakers to guard against exclusions for people with a criminal record. In fact, recovery efforts are an opportunity to remedy past injustices and racial discrimination within the criminal justice system by removing barriers that disproportionately impact low-income workers and people of color.



1. Brame, R., Turner, M., Paternoster, R., & Bushway, S. [Cumulative Prevalence of Arrest From Ages 8 to 23 in a National Sample](#). *Pediatrics*.
2. American Bar Association. [The Collateral Consequences of Conviction](#).
3. Buckner, C. & Barber, A., [The Price We Pay: Economic Costs of Barriers to Employment for Former Prisoners and People Convicted of Felonies](#). Center for Economic and Policy Research.